

EXHIBIT I

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF FAUSTO ANTONIO GOMEZ

I, Fausto Antonio Gomez, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today.

Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. At the time of the terrorist attacks of September 11, 2001, I worked as a maintenance employee with American Building Maintenance, Inc. (“ABM”). At the time of these attacks, I had been employed with ABM since 1993. Attached as Exhibit B to this Declaration is a true and correct copy of my proof of employment with ABM at the World Trade Center (WTC) during the time of the 9/11 terrorist attacks.

4. On the morning of September 11th, I arrived at work around 7 a.m. I had been cleaning on the 5th Floor Concourse Level of the North Tower when the first passenger jet, American Airlines Flight 11, plunged into the building. I felt the building shake and I immediately laid down on the floor as that is what I had been trained to do following the 1993 terrorist bombing.

5. People around me began to panic and scream and run in all directions. My co-worker and I decided to run towards the emergency exit stairwell to escape from the building. As

I entered the stairwell I saw that many people were pushing and shoving and trying to quickly descend the stairs to exit from the North Tower.

6. As I descended the stairs in the concrete stairwell, the stairwell began to shake and collapse and disintegrate beneath my feet. Everyone in the stairwell began to scream and panic, and I fell to the floor after being pushed by those around me. After I fell, people trampled over me as they desperately tried to escape down the stairwell. My head and body slammed against the concrete, and I suffered injuries to my neck, chest, back, shoulders, right thumb and both my hips.

7. Despite my injuries, I stumbled to my feet and continued to descend the stairs as I was determined to get out of the North Tower. I exited the stairwell on the First Floor of the North Tower. Because of the stampede of people exiting the stairwell, I had to crawl on the floor and make my way towards the exit. People trampled over me while escaping from the building.

8. After I exited the building, I went through the mall concourse area to Church Street. As I looked back at the North Tower, I saw a horrific scenes of people jumping from the upper sections of the building and plunging to their deaths. The scene was like a war zone.

9. I continued to walk away from the area and towards the Century 21 building. I watched in horror as the second passenger jet, United Airlines Flight 175, slammed into the upper section of the South Tower. As I stood in shock while watching the carnage and destruction unfold at the World Trade Center, the South Tower began to collapse. As I ran from the area, I became engulfed in a thick cloud of smoke, chemicals, and building debris. I inhaled large quantities of these substances into my lungs and airways.

10. Due to the thickness of the cloud of dust and debris, I walked in darkness until I could see daylight. I walked towards the Broadway area, and I saw a friend who gave me a ride to my home in his car. Due to my multiple injuries, I sought initial treatment at Metropolitan Hospital's Emergency Room shortly after the events of 9/11.

11. As a result of these terrorist attacks, I suffered the following specific injuries¹ on September 11, 2001: a cervical spine disorder with bulging discs², a chest wall contusion³, bilateral shoulder derangement⁴, a right thumb sprain⁵, bilateral hip contusions⁶, head trauma with concussion syndrome and memory impairment⁷, and temporomandibular joint disorder (“TMJ”)⁸. Due to the large quantities of dust, chemicals, toxins, and building debris that I inhaled during the above events, I now suffer from asthma⁹. Lastly, my doctors diagnosed me with post-traumatic stress disorder¹⁰ due to the horrific events that I experienced on 9/11.

12. I sought and continue to seek medical attention for my injuries caused by these terrorist attacks. Attached as Exhibit C to this Declaration is a true and correct copy of my select relevant medical records confirming my physical and emotional injuries following the September 11, 2001, terrorist attacks.

13. I previously pursued a claim (VCF 212-000562) through the September 11th Victim Compensation Fund (VCF) specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

¹ See, 9/11 Injury Records of Fausto Antonio Gomez (GOMEZ_MEDS_0001), attached hereto as Exhibit C, at 0001-0041.

² *Id.* at 0002-0003, 0006, 0008-0017, 0019-0035, and 0037-0040.

³ *Id.* at 0008, 0010-0012, 0014-0016, 0019-0021, 0025-0027, and 0033-0035.

⁴ *Id.* at 0008, 0010-0012, 0014-0017, 0019-0021, 0023, 0025-0027, 0029-0031, 0033-0035, and 0037-0041.

⁵ *Id.* at 0006, 0008, 0010-0012, 0014-0016, 0019-0021, 0025-0027, 0033-0035, and 0037-0040.

⁶ *Id.* at 0008-0011, 0014-0016, 0019-0021, 0025-0027 and 0033-0035.

⁷ *Id.* at 0005, 0008-0009, 0011-0017, 0019-0027, 0031-0033, 0035, and 0037-0040.

⁸ *Id.* at 0008-0009, 0011, 0013-0016, 0019-0021, 0023-0027, 0031, 0033-0034 and 0037-0040.

⁹ *Id.* at 0036.

¹⁰ *Id.* at 0002-0005, 0009, 0011, 0013-0014, 0016-0019, 0021-0024, 0027, 0032-0033, 0035 and 0037-0041.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 12 day of 4 2023.


Declarant Fausto Antonio Gomez

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**